

PRT Proposal for the Triangle Trust 1949 Fund January 2024 Women in prison: why are we still criminalising trauma? Building a blueprint for change

#### What we seek to change and why

The Prison Reform Trust (PRT) would like to carry out a solution-focussed evaluation programme of work to explore why the imprisonment of women remains stubbornly high 16 years after the Corston Report. This will help us better understand why so many women are sent to prison so we can work with practitioners and other key stakeholders towards reducing the number of women imprisoned. There are currently over 3,600 women living in prisons in England and Wales (3,612 on 1<sup>st</sup> December). Many women in prison have been victims of much more serious offences than those they are accused of committing. 53% of women in prison report experiencing emotional, physical or sexual abuse as a child. Almost 60% of women who offend have experienced domestic abuse.

Women are being sent to prison on overwhelmingly short-term sentences. Women were sent to prison on 5,164 occasions in the year to March 2023, either on remand or on a sentence. More than half (58%) of all prison sentences given to women in 2022 were for less than six months. Short sentences are particularly harmful as they are long enough to disrupt all aspects of home life, including housing, jobs and caring responsibilities. But not long enough for any meaningful intervention with the multiple and complex issues surrounding women's offending. This is particularly relevant as women are more likely to be primary or sole carers of children. Research suggests more than 17,000 children are affected by maternal imprisonment each year.

The government's own Female Offender Strategy recognised that women would be better served by community alternatives. The Female Offender Strategy Delivery Plan 2022 to 2025 has reaffirmed this commitment. The government has introduced a bill to legislate for a presumption to suspend short prison sentences of less than 12 months. This presents a real opportunity to drive down the number of women in prison. The proposed legislation is especially important given the increasing numbers of women in prison, and the record high rates of self-harm in the women's estate. For the presumption to have the desired impact, there will need to be careful advocacy work, which PRT is well placed to do.

More broadly, to reduce the number of women in prison, we also need better use of diversion and community alternatives to imprisonment. But to do this, we need to better understand:

- why we aren't seeing a reduction in the prison population, or an increase in use of community alternatives.
- what needs to be done to increase uptake (across the sector).
- what examples of good practice there are from the network of women's centres across England & Wales.

PRT has long called for a reduction in women's imprisonment and a step change in how the criminal justice system responds to the needs of women. As part of this longstanding interest, PRT began working on a programme to reduce women's imprisonment in 2012 (funded by the Pilgrim Trust) and then launched a five year National Lottery Community Fund supported 'Transforming Lives: reducing women's imprisonment' programme in 2015. When the funding for this ended, we retained a 'women's policy lead' to embed the legacy of the programme, and continue a focus on women. Emily Evison, our policy officer, leads this work. All of this work is key in informing the next steps in our focus on women in the criminal justice system. We are now able to build on all we have learnt from these programmes by taking forward and distilling this learning to continue to influence practitioners and inform policy and practice.

## The criminalising trauma project in the context of young women

In the last decade there has been growing recognition among policymakers and practitioners of the importance of taking account of the distinct needs of young adults in the criminal justice system. But it is only in the last couple of years that specific attention has been given to a particularly vulnerable group within this cohort – young women.

# Key facts

- On 30 September 2023 18-24 year olds made up 9% of the total women's prison population but 13% of the remanded population.<sup>[1]</sup>
- Young women are more likely than women aged 25 or above to be in prison for violent offences. Though, as with the women's prison population as a whole, the majority continue to be in prison for short sentences.
- Young women account for a disproportionate number of self-harm incidents in women's prisons. 18-24 year olds accounted for 40% of all self-harm incidents in 2022.<sup>[2]</sup>

The overarching aims of the programme will impact young women in prison, particularly those on remand and those serving short sentences. The work will have a wellbeing lens, and we intend to consult with experts in health and social care, so the impact and role of brain development and maturity will be a consideration within this.

We have good links with policy leads in HM Prison and Probation Service including those leading on the young women's strategy and pilots within women's prisons. We will continue to engage with these colleagues to ensure we can capitalise on any opportunities to influence and effect change.

PRT is also a member of the Transition to Adulthood (T2A) Alliance – a group which has consistently highlighted the importance of taking account of the distinct needs of young adults in the criminal justice system and so our broader organisational work reflects this.

#### Our proposal

PRT wants to complete a solutions focused piece of work looking at the barriers and challenges to significantly reducing the women's prison population. The work will be collaborative, include data gathering with practitioners and other key stakeholders and use of case study material to highlight good practice. Ultimately to suggest a blueprint for change. PRT will;

➤ Look into what has worked. A key part of this will be examining the methodology of the Youth Custody Service (YCS), how they achieved a drastic reduction in youth custody, and the learnings we can take to the women's custodial estate. We will do this through discussions with key stakeholders and experts in this field (both at policy and operational levels), data gathering and by completing a literature review.

➤ Use a collaborative cross-sector approach (including through meetings, roundtables and consultations) to investigate what is needed to increase confidence in alternatives to custody such as referrals to women's centres. We will look at various stages of the criminal justice process to complete a needs assessment. Identify barriers to both ground level and systematic change and consider solutions.

> We will draw on already well established PRT contacts and networks to consult with women with lived experience of the criminal justice system both in prison and the community.

This work will be solutions based and so we will look for examples of good practice and solutions. Many of the issues women in the criminal justice system face are related to women's health and social care and so the work will have a

<sup>&</sup>lt;sup>[1]</sup> Table 1.3. Ministry of Justice. (2023). Prison population: 30 September 2023. Offender management statistics quarterly: April to June 2023.

<sup>&</sup>lt;sup>[2]</sup> Table 2.3. Ministry of Justice. (2023) Self-harm in prison custody 2004 to 2022. Safety in custody: quarterly update to June 2023.

wellbeing lens. We will consult with experts in health and social care and women with lived experience. PRT will look at a stepped approach to reduce numbers of women in prison e.g.

- Women on remand.
- Women serving short sentences for non-violent offences.

- Women serving sentences for offences which are directly related to their mental ill-health, for example an assault on an emergency worker offence which has taken place because the woman is in crisis.

- Women with neurodivergent and psychosocial disabilities.
- Women whose offending is linked to trauma and trauma related substance misuse, including those where their experience of domestic abuse was a driver to their offending.

Women from minority ethnic backgrounds face a double disadvantage within the criminal justice system, being discriminated against based on their gender and their race. Black, Asian and minority ethnic women are over-represented in the criminal justice system, are more likely to be committed for trial at the Crown Court and are more likely to receive a custodial sentence at the Crown Court than white women. We are keen to collaborate with specialist organisation to apply this lens to all the above groups with the aim of generating bespoke solutions for women from ethnic minority backgrounds.

## Outcomes and implementation of learning

This programme aims to:

- Provide a policy brief and practitioner's guide with solution-based resources, to provide a blueprint for change.
- Work towards a reduction in imprisonment of women, in particular, for those on short sentences.
- Increase the awareness of and confidence in the use of diversion (including Liaison & Diversion services) and community alternatives (including women's centre provision) to imprisonment.

PRT will disseminate the policy brief and practitioners guide online, through our newsletter, Twitter and PRT website and through our extensive network. We will convene an event with key collaborators, stakeholders and women with lived experience who contributed to the project to discuss lessons learnt throughout the project. A clear outcome from this will be to produce an implementation plan which will sequence our recommendations on the basis of quick fixes, medium term solutions and long-term desirable outcomes.

We will measure the impact of the programme by embedding an outcomes harvesting approach from the beginning of the project. This will help enable us to track changes as they occur. We will work with practitioners to inform and gather feedback on our resources and monitor changes made and outcomes. The number of women in prison is trackable by Ministry of Justice sentencing data.

## Why PRT?

PRT has over four decades of experience in advocating for people in prison. PRT has a strong track record of achieving change in policy and practice. People in prison often rely on external organisations to advocate on their behalf, reaffirming their marginalisation in the policy and influencing process. PRT embeds lived experience across the organisation and through its Prisoner Policy Network feeds the direct experience of people in prison into all aspects of our work. PRT is led by Pia Sinha, CEO, former Director of Women at HM Prison & Probation Service, and chaired by James Timpson OBE. Almost half (45%) of our staff team have lived experience of imprisonment or the imprisonment of a family member. Emily Evison, PRT's policy officer, will be carrying out this work, and is well placed to due to her longstanding specialist knowledge of this field, and good relationships with the wider sector. Pia Sinha and Jenny Talbot OBE, former lead of PRT's No One Knows programme and liaison and diversion, will provide strategic oversight and supervision.

## Partnership working and collaboration

This work will compliment with the work and plans of other organisations active in this area. We will use a collaborative approach to build on knowledge from specialist organisations. We know that within the women's justice

sector, PRT's strong data and research background is valued – which we'll draw on for this project. PRT has a strong track record of partnership working and has established partnerships with several organisations including PACT, NACRO, University of Cambridge, Howard League of Penal Reform, Women in Prison, Southampton University, University of Nottingham, Alliance for Youth Justice, Unlocked Graduates, Safe Homes for Women Leaving Prison, Inside Time and National Prison Radio amongst many others.

We have already had some candid conversations about this project, under Chatham House rules, with key stakeholders. These conversations have been very positive, and the project has been welcomed as complimentary to both the work being done by other organisations in the voluntary sector, and at legislative/policy level. PRT is pleased that Sonya Ruparel, CEO Women in Prison and Kirsty Kitchen, Head of Policy & Communications, Birth Companions have kindly agreed to be referees for this proposal.

## **Budget and timeline**

PRT anticipates the project starting in Spring 2024 and taking 12-18 months to complete. PRT has confirmed funding of £40,000 (£20,000 from the Esmée Fairbairn Foundation and £20,000 from the Jabbs Foundation) and is seeking the remaining £20,150. PRT would be grateful if the Triangle Trust 1949 Fund is able to consider supporting this project by granting the remaining £20,150.

PRT Budget: Women in Prison - Building a Blueprint for Change (18 month programme)	No. Days	Day rate	£
Staffing resources			
Emily Evison, Policy Officer, PRT (1.5 days a week)	117	170	£19,890
Pia Sinha, CEO, PRT (2 days a month)	36	450	£16,200
Jenny Talbot OBE, PRT Associate (1 day a month)	18	270	£4,860
Project costs			
Travel & subsistence			£2,000
Cost of meetings/ roundtable (inc beneficiary engagement) and event to launch findings			£2,000
Evaluation: outcomes harvesting and production of policy brief and practitioner's guide inc. dissemination			£8,000
Overheads			£7,200
Total			£60,150

If you are interested in the proposed work and would like to discuss it in more detail please do get in touch – Charlotte Story, Development Manager, Prison Reform Trust <u>charlotte.story@prisonreformtrust.org.uk</u>